

## AMENDMENT &amp; RESPONSE UNDER 37 C.F.R. § 1.116

Serial Number: 09/458,862

Filing Date: December 10, 1999

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stem cells, lymphocytes which are modified *ex vivo*, or a combination thereof.

16. (Amended) The composition of claim 14 [or 15] wherein the cells are peripheral blood lymphocytes.

17. (Amended) The composition of claim 14 [or 15] wherein at least one of the cryoprotective agents is arabinogalactan.

19. (Amended) The composition of claim [18] 14 wherein the cryoprotective agent that penetrates the cell membrane is glycerol or propylene glycol.

20. (Amended) The composition of claim 14 [or 15] further comprising a cryoprotective agent other than arabinogalactan or a biological or functional equivalent thereof which does not penetrate the cell membrane.

21. (Amended) The composition of claim 14 [or 15] which does not comprise protein.

22. (Amended) The composition of claim 14 [or 15] which is infusible.

23. (Amended) The composition of claim 14 [or 15] which does not comprise dimethylsulfoxide.

24. (Amended) The composition of claim 14 [or 15] wherein the cells are human cells.

36. (Amended) The composition of claim 14[, 15] or 31 wherein the lymphocytes which are modified *ex vivo* are activated lymphocytes or genetically modified lymphocytes.

Please add the following new claims:

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37. (New) A cryopreservation medium comprising a balanced electrolyte solution, at least one cryoprotective agent that is arabinogalactan, or a biological or functional equivalent thereof, and hematopoietic cells, wherein the hematopoietic cells are freshly isolated lymphocytes, stem cells, lymphocytes which are modified *ex vivo*, or a combination thereof.

38. (New) The cryopreservation medium of claim 37 wherein the lymphocytes are peripheral blood lymphocytes.

39. (New) The cryopreservation medium of claim 37 wherein the agent is arabinogalactan.

40. (New) The cryopreservation medium of claim 37 further comprising a cryoprotective agent that penetrates the cell membrane.

41. (New) The cryopreservation medium of claim 40 wherein the cryoprotective agent that penetrates the cell membrane is glycerol or propylene glycol.

42. (New) The cryopreservation medium of claim 37 further comprising a cryoprotective agent other than arabinogalactan or a biological or functional equivalent thereof which does not penetrate the cell membrane.

43. (New) The cryopreservation medium of claim 37 which does not comprise protein.

44. (New) The cryopreservation medium of claim 37 which is infusible.

45. (New) The cryopreservation medium of claim 37 which does not comprise dimethylsulfoxide.